

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent Application No. 10/552,596

Applicant: Wada et al.

Filed: October 7, 2005

TC/AU: Unassigned

Examiner: Unassigned

Docket No.: 239129 (Client Reference No. T97-196847C/KT)

Customer No.: 23460

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Dear Sir

Applicant(s) hereby respond(s) to the Notification of Missing Requirements dated September 25, 2006.

The items checked below are appropriate:

**1. Status of Applicant**

This application is on behalf of  other than a small entity or  a small entity.

**2. Documents Submitted Herewith**

- a.  Executed Declaration of inventor(s)
- b.  Nucleotide and/or Amino Acid Sequence Submission:
  - i.  Computer Readable Form (CRF)
  - ii. Specification Sequence Listing on:
    - (1)  CD-ROM or CD-R (2 copies); or
    - (2)  Paper Copy
  - iii.  Statement verifying identity of above copies
- c.  Verified English translation of application
- d.  Copy of the Notification of Missing Requirements
- e.  Substitute Drawings
- f.  Other:

### 3. Application Filing Fee

- a.  No application filing fee due
- b.  Application filing fee due in amount calculated below:

| BASIC FEE (\$300 FILING FEE + \$200 EXAMINATION FEE + \$500 SEARCH FEE)                      |              |   |            | \$1,000.00 |
|--|--------------|---|------------|------------|
| CLAIMS   | NUMBER FILED | NUMBER EXTRA                                  | RATE       |            |
| Total Claims   | - 20 =       |   | x \$50.00  | \$         |
| Independent Claims   | - 3 =        |   | x \$200.00 | \$         |
| <input type="checkbox"/> Multiple Dependent Claim(s) if applicable                           |              |   | + \$360.00 | \$         |
| <input type="checkbox"/> Application Size Fee (\$250 for each additional 50 sheets over 100) |              |   |            | \$         |
|  |              | Total of above calculations =                 |            | \$         |
|  |              | Reduction by 50% for filing by small entity = |            | \$()       |
|  |              | <b>Fee Already Paid =</b>                     |            | \$         |
|  |              | <b>Fee Due =</b>                              |            | \$         |

### 4. Late Filing of Oath or Declaration Surcharge

Pursuant to 37 CFR 1.16(e), the surcharge for filing this Response is for  
 other than a small entity or  a small entity.

**Fee Due**      \$130.00

### 5. Non-English Specification Surcharge

Pursuant to 37 CFR 1.17(i), the surcharge for submitting an English translation of the non-English specification is included.

**Fee Due**      \$ 0.00

### 6. (Provisional only) Surcharge for Late Submission

Pursuant to 37 CFR 1.16(g), the surcharge for submitting an English translation of the non-English specification is included.

**Fee Due**      \$ 0.00

### 7. Extension of Time

- Applicant(s) petition(s) for a one-month extension of time under 37 CFR 1.136, the fee for which is \$120.00.
- Applicant(s) believe(s) that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant(s) has/have inadvertently overlooked the need for a petition and fee for extension of time.

**Fee Due**      \$120.00

**8. Total Fee Due**

The total fee due is:

|                                       |          |
|---------------------------------------|----------|
| Application Filing Fee                |          |
| Late Filing of Declaration Surcharge  | \$130.00 |
| Non-English Specification Surcharge   | \$ 0.00  |
| (Provisional only) Surcharge for Late |          |
| Submission                            | \$ 0.00  |
| Extension of Time Fee                 | \$120.00 |

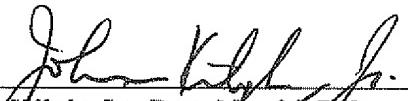
**Total Fee Due: \$250.00**

**9. Fee Payment**

- Attached is a check in the sum of \$  
 Charge Account No. 12-1216 the sum of \$250.00. A duplicate of this transmittal is attached.

**10. Fee Deficiency**

- If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.



John Kilyk, Jr., Reg. No. 30,763  
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Date: December 26, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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|   |                       |                                     |
|---|-----------------------|-------------------------------------|
| U.S. APPLICATION NUMBER NO.   | FIRST NAMED APPLICANT | ATTY. DOCKET NO.                    |
| 10/552,596  | Toru WADA             | 239129                              |
|   |                       | INTERNATIONAL APPLICATION NO.       |
|   |                       | PCT/JP04/04981                      |
|   |                       | I.A. FILING DATE      PRIORITY DATE |
|   |                       | 04/07/2004      04/07/2003          |
| <b>LEYDIG, VOIT &amp; MAYER RECEIVED</b><br><b>OCT 05 2006</b><br><b>11-25-06</b><br><b>PAY/TM Due Date</b><br><b>4-25-07</b>   |                       |                                     |
| <b>CONFIRMATION NO. 2502</b><br><b>371 FORMALITIES LETTER</b><br><br>*OC000000020564732* |                       |                                     |

Date Mailed: 09/25/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/07/2005
- English Translation of the IA filed on 10/07/2005
- Copy of the International Search Report filed on 10/07/2005
- Preliminary Amendments filed on 10/07/2005
- Information Disclosure Statements filed on 10/07/2005
- Request for Immediate Examination filed on 10/07/2005
- U.S. Basic National Fees filed on 10/07/2005
- Priority Documents filed on 10/07/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

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Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

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| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/552,596                  | PCT/JP04/04981                | 239129           |

FORM PCT/DO/EO/905 (371 Formalities Notice)